

syngeneic animal;

ii. injecting the transformed cells into the syngeneic animal;

iii. selecting those animals in which metastasizing tumours have been identified; and

iv. recovering the regulatory DNA capable of inducing metastasis therefrom.

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6. (Twice Amended) The method of claim 5 wherein the fragments are tagged with a double-stranded synthetic oligonucleotide, one strand whose sequence is SEQ. ID. No. 7 and the other strand whose sequence is SEQ. ID. NO. 8.

e2

7. (Twice Amended) A regulatory DNA which is not expressed as an mRNA but is capable of inducing metastasis, said regulatory DNA consisting essentially of a human DNA fragment of less than 1.5 kb in length and comprising the sequence of SEQ. ID. NO. 4, obtained from a malignant, metastasis cancer cell.

e3

16. (Twice Amended) A kit for diagnosing the likelihood of a cancer metastasizing comprising a probe of claim 15 and one or more of a color indicator, an oligonucleotide primer, materials for gel analysis and materials for DNA transfer or hybridisation.

### REMARKS

Claims 1-2, 4-7, 11, 15-19, 23 and 29 are pending in this application. Applicants cancel the non-elected claims without prejudice.

Claim 7 was objected to because it recited non-elected embodiments. The claim has been amended to remove these embodiments.

Claim 1 was objected to because the word "sites" was misspelled. Applicants have amended the application to include the correct spelling.